

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

BART BURTON,)	
)	
Plaintiff,)	Case No. 1:10-cv-00109
)	Judge Campbell / Knowles
v.)	
)	
JOSH TAYLOR, et al.,)	
)	
Defendants.)	

ORDER

Presently pending before the Court is Defendant Joshua Taylor's Motion to Strike Plaintiff's Statement of Disputed Facts. Docket No. 107.


Motions to Strike are governed by Fed. R. Civ. P. 12(f), which states:

Upon motion made by a party before responding to a *pleading* or, if no responsive *pleading* is permitted by these rules, upon motion made by a party within 20 days after the service of the *pleading* upon the party or upon the court's own initiative at any time, the court may order stricken from any *pleading* any insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.

Fed. R. Civ. P. 12(f) (emphasis added).

Motions to Strike are only applicable to pleadings. *See, e.g., Wimberly v. Clark Controller Co.*, 364 F.2d 225, 227 (6th Cir. 1966). *See also Hrubec v. National R.R. Passenger Corp.*, 829 F. Supp. 1502, 1506 (N.D. Ill. 1993). Plaintiff's Statement of Disputed Facts is not a pleading. *See* Fed. R. Civ. P. 7(a). Accordingly, Defendant Joshua Taylor's Motion to Strike Plaintiff's Statement of Disputed Facts (Docket No.107), is hereby DENIED.

IT IS SO ORDERED.


E. CLIFTON KNOWLES
United States Magistrate Judge